

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-20810 - APPLICANT/OWNER: VICTORY OUTREACH-
LAS VEGAS**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL.

Planning and Development

1. A Rezoning (ZON-20813) to a C-V (Civic) Zoning District approved by the City Council.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 3/27/07, and the Phase I floor plans date stamped 4/24/07 except as amended by conditions herein.
4. Any portion of the site to be used for vehicle access and parking is required to be paved.
5. The building shall have a finished appearance after the construction of each phase.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Driveways shall be designed, located and constructed in accordance with Commercial Pan Standard Drawing #224.

17. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
19. Site development to comply with all applicable conditions of approval for ZON-20813 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Site Development Plan Review for a one-story, 22,531 square foot church covering 1.7 acres of the 2.69 acres total requested to be Rezoned (ZON-20813). The Site Development Plan Review is limited to the proposed construction shown on the parcel located at 510 North 28th Street (APN 139-36-110-035).

An associated application for a Rezoning from the R-E (Residence Estates) zoning District to the C-V (Civic) zoning District has been filed with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
5/07/03	The City Council approved a General Plan Amendment (GPA-1922) to modify a portion of the Southeast Sector Plan of the General Plan from M (Medium Density Residential) to PF (Public Facilities) on 2.68 acres at 500 North 28 th Street (APN: 139-36-110-034 & 035), a request for a Rezoning (ZON-1919) from R-E (Residence Estates) to C-V (Civic) and a Site Development Plan Review (SDR-1921) for a proposed 20,376 square foot church, daycare facility, rectory, and playground on 2.68 acres at 500 North 28 th Street (APN: 139-36-110-034 & 035). Planning Commission and Staff recommended approval. These applications expired on May 8 th , 2005.
05/10/07	The Planning Commission recommended denial of companion item ZON-20813 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #36/mh).
<i>Related Building Permits/Business Licenses</i>	
There are no related permits or licenses related with this request.	
<i>Pre-Application Meeting</i>	
3/06/07	A pre-application meeting was held with the applicant's representative to discuss the requirements for establishing the design standards for a C-V zoned project. Changes from the previous approvals (ZON-1919 & SDR-1921) were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
4/5/07	A Field Check was completed with the following observations: 1. Existing single family residential home located at 540 North 28 th Street. Undeveloped lot to the south, 510 North 28 th Street fenced with some minor debris and RV listed for sale on the premises. Area is generally two-story, multi-family housing.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.7 acres*

*An associated Rezoning covers two parcels for 2.94 net acres total. This Site Development Plan Review will only cover the affected parcel (APN) located at 510 North 28th Street.

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped & Single Family Residence	P-F (Public Facility)	R-E (Residence Estates)
North	Civic – LV Housing Authority	P-F (Public Facility)	C-V (Civic)
South	Multi-family residential	H (High Density Residential)	R-4 (High Density Residential)
East	Duplexes	ML (Medium Low Density Residential)	R-3 (Medium Density Residential)
West	Multi-family residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	NA
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.020; the following Design Standards are established upon approval of the accompanying Site Plan Development Review (SDR-20810):

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	2.94 acres
Min. Lot Width	315 feet
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	35 feet, 7 inches 15 feet, 8 inches 15 feet, 8 inches 65 feet, 3 inches
Min. Distance Between Buildings	

Max. Lot Coverage	30%
Max. Building Height	2 Stories
Trash Enclosure	Screened & Covered
Mech. Equipment	Screened & Covered

Pursuant to Title 19.06.020, the following Title 19.12 Landscape and Buffer Standards are used for analysis only:

<i>Landscaping and Open Space Standards</i>			
<i>Standards</i>	<i>Recommended</i>		<i>Provided</i>
	<i>Ratio</i>	<i>Trees</i>	
Parking Area	1 Tree/ 6 Spaces	13 Trees	14 Trees
Buffer: Min. Trees	1 Tree/ 20 Linear Feet	37 Trees	34 Trees
TOTAL		50 Trees	48 Trees
Min. Zone Width	8 Feet		5 Feet

Pursuant to Title 19.06.020, the following Title 19.10 Parking, Loading, and Traffic Standards are used for analysis only:

<i>Parking Requirement</i>						
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Recommended</i>		<i>Provided</i>	
			<i>Parking</i>		<i>Parking</i>	
			Regular	Handi-capped	Regular	ADA Accessible
Church/House of Worship* (Gathering Area)	5,732 SF	1 space per 100 SF of gathering area (non-fixed seating)	58	3	76	4
TOTAL			58	3	76	4

*The floorplans for Phase 2 & 3 show classrooms and office space which are considered ancillary uses to the church use and therefore do not require additional parking.

ANALYSIS

- Zoning**

The C-V District is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities.

In addition, the C-V District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V District is consistent with the Public Facilities category of the General Plan.

- **Title 19.06 Special Purpose and Overlay Districts**

The minimum development standards for property in the C-V District shall be established by the City Council in connection with the associated application for Rezoning (ZON-20813) or administratively in connection with the approval of a site development plan.

The proposed elevations, setbacks, and building height and massing, as designed, appear compatible with existing and planned development in the surrounding area. However, there may be a potential issue with the amount of provided parking. Although the applicant has calculated the provided parking using a standard listed in Title 19.10 for non-fixed seating, staff believes that the actual amount of parking required exceeds this amount. This is due to the discrepancy between calculating parking based on providing space per one hundred square feet of non-fixed seating area in the gathering room versus providing one space per four fixed seats. Although the provided floorplans denote that the 690 seats are non-fixed, the rated occupancy of the area is 686 occupants giving a reasonable expectation for potential shortage from the 76 provided parking spaces.

FINDINGS

The following findings must be made for an SDR:

- 1. The proposed development is compatible with adjacent development and development in the area;**

As proposed, the church may pose a potential parking problem. The amount of provided parking may not be suitable for this size of church with accessory classrooms. The use and building design, however, does appear to be a suitable proposal for this location.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed church with accessory classrooms use is consistent with the P-F (Public Facilities) General Plan category and, with an approved Rezoning to the C-V (Civic) zoning District, the proposed church is in general compliance with design standards as listed in Title 19. It is important to note that the design standards are established with the approval of a request for Rezoning (ZON-20813) and this Site Development Plan Review.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

Access to this site is provided via 28th Street, a fully developed 60-foot-wide right-of-way, and Julian Street, a partially constructed 60-foot-wide right-of-way. The proposed development of the site will be sufficiently served by existing roadway facilities and will not negatively impact the predominantly multi-family residential character of the area. Staff is concerned that a potential parking shortage could adversely affect site circulation.

4. Building and landscape materials are appropriate for the area and for the City;

The proposed church with accessory classrooms will implement building and landscape materials appropriate to the City. The applicant has provided a suitable amount of perimeter landscape buffering with an adequate amount of trees of a suitable size.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The church facility elevations are appropriate for this type of structure and are compatible with the predominantly multi-family residential character of the area. A condition has been placed so that the building maintains a finished appearance between each phase of construction.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The development will be subject to the International Building Code and therefore will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 11

SENATE DISTRICT 2

NOTICES MAILED 250 by Planning Department

APPROVALS 0

PROTESTS 0